

HOUSE BILL ANALYSIS
HB 2794

Title:	An act relating to conditions of sentences.
Brief Description:	Requiring offenders under the supervision of the department of corrections to obey all laws.
Sponsors:	Representatives McCune, Sheahan, Sterk, and D. Sommers.

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

Hearing Date:	February 4, 1998.
Prepared By:	Mark G. Hamilton, Counsel (786-7310).
Background:	Currently, there are no statutory provisions requiring the Department of Corrections, as a condition of releasing an offender to either community supervision or community placement, to obey all laws or to refrain from violating the laws.

Instructions when Offender Receives Non-Custodial Sentence. Currently, the Department of Corrections must provide instructions to offenders sentenced to terms involving community supervision, community service, community placement, or legal financial obligation (*i.e.*, non-custodial sentences). The minimal content of the instructions must include reporting to a community corrections officer, remaining within prescribed geographical areas, notification of address or employment change, and paying supervision fee. (RCW 9.94A.120(14).)

Requirements of Offender who Receives Non-Custodial Sentence. Currently, offenders who receive non-custodial sentences are required not to own, use, or possess firearms or ammunition. (RCW 9.94A.120(15).)

Summary:	<i>Instructions when Offender Receives Non-Custodial Sentence.</i> Adds to the minimum requirement that offenders sentenced to terms involving community supervision, community service, community placement, or legal financial obligation be instructed by the Department of Corrections to obey all laws.
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Requirements of Offender who Receives Non-Custodial Sentence. Adds to the firearms restrictions of those who receive non-custodial sentences the requirement that they must also obey all laws.

Order to Refrain from Violating Laws as Condition of Community Supervision or Community Placement. Requires a court to order an offender convicted of a felony committed after the effective date of the act to refrain from committing new offenses as a condition of community supervision or community placement. Also requires that offenders who commit new offenses

be subject to appropriate violation and sanction process, in addition to prosecution for the offense. (New Section — RCW 9.94A.120(22).)

Rules Authority: No.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.